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ABSTRACT

This report contains highlights of a seminar which focused on young unwed fathers and welfare reform. Comments by these panelists are summarized: Rikki Baum, legislative assistant to Senator Patrick Moynihan; Linda Mellgren, from the Office of Income Security; and Margaret Boeckmann, Director of the Office of Employment Policy, Maryland Department of Human Resources. These topics, discussed at the seminar, are summarized: (1) the Family Support Act of 1988 which strenghthened child support enforcement, required states to use uniform guidelines for child support awards, and established the new Jobs Opportunity and Basic Skills (JOBS) program; (2) the implementation of the Act and how it could affect the population of unwed fathers; and (3) the experience of the Office of Employment Policy in Maryland in conducting a pilot absent parents employment program using state funds. A background briefing report is also included which contains facts about out-of-wedlock childbearing. Facts concerning adolescent out-of-wedlock childbearing and welfare dependency of unwed mothers are examined. A profile of young unwed fathers is provided which reviews paternity, age, marriage, employment and income, child support, and involvement and visitation. Policy developments are discussed in terms of goals and assumptions, unwed fathers' legal rights and obligations, paternity establishment, child support, and employment and training. The Family Support Act of 1988 is described, and major provisions are summarized. Questions for discussion are included. (27 references; 10 organizational citations) (LLL)

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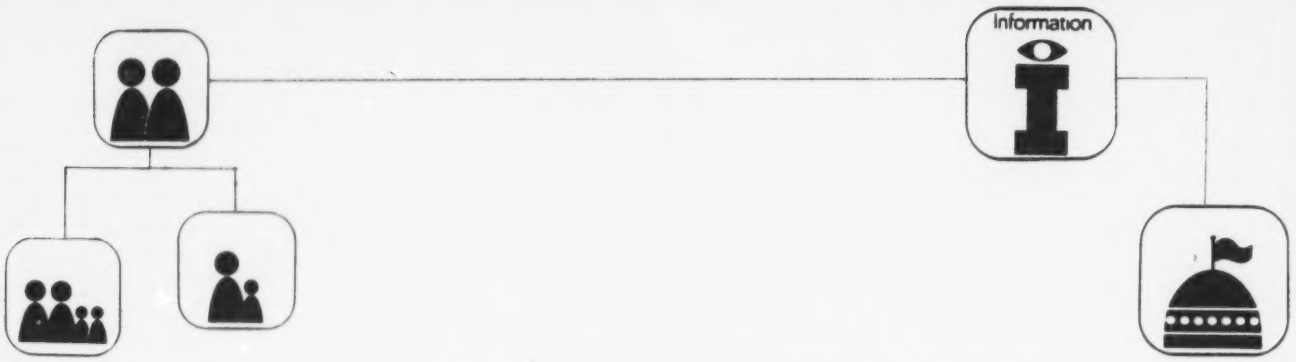

Young Unwed Fathers and Welfare Reform

November 18, 1988, U.S. Capitol, EF 100

Panelists: **Rikki Baum**, Office of Senator Patrick Moynihan (D.-N.Y.)
Linda Mellgren, Office of the Assistant Secretary for Planning and Evaluation/HHS
Margaret Boeckmann, Office of Employment Policy, Maryland Department of Human Resources

Moderator: **Theodora Ooms**, Director, Family Impact Seminar

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Young Unwed Fathers and Welfare Reform

Background Briefing Report
and
Meeting Highlights

Theodora Ooms and Lisa Herendeen

This policy seminar is one in a series of monthly seminars for policy staff titled, *Family Centered Social Policy: The Emerging Agenda*, conducted by the **Family Impact Seminar**, American Association for Marriage and Family Therapy, Research and Education Foundation, 1100 Seventeenth Street, N.W., The Tenth Floor, Washington, D.C. 20036, 202/467-5114

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Young Unwed Fathers
And
Welfare Reform

Highlights of the seminar meeting on held on Friday Nov. 18, 1988, U.S. Capitol (a supplement to the Background Briefing Report)

Will the recently passed welfare reform bill encourage unwed fathers to establish paternity, pay child support, get jobs, and become self-sufficient individuals who do well by their children? Participants at the seminar, "Young Unwed Fathers and Welfare Reform," sponsored by the Family Impact Seminar discussed the implications of the Family Support Act of 1988 for young unwed fathers .

Summary of Panelists' Presentations

Rikki Baum, legislative assistant to Senator Moynihan, the key architect of the Family Support Act of 1988, confirmed that passage of the bill had been a difficult struggle and a number of compromises were made in the conference committee. She summarized the key features of the law which she believed would have significant impact on the problem of welfare dependency:

1. Strengthened child support enforcement, through automatic wage-withholding of the absent parent;

2. Required states to use uniform guidelines for setting child support awards;

3. Established the new Jobs Opportunity and Basic Skills (JOBS) program.

Baum emphasized that the JOBS program would replace the current Work Incentive Program (WIN), established in 1967, which has been largely ineffective primarily due to the nature of its funding. WIN has depended on annual federal appropriations which, over the years, have been significantly cut and was only funded at a level of $92.5 million in FY '88. Moreover, state program operators have never known how much money they would have to work with from year to year. The JOBS program, by contrast, is a capped entitlement program set at $600 million in 1989 rising to $1.3 *billion* by 1995. While the actual expenditures on the program will depend on the extent to which states front-end their matching dollars, the federal "carrot" is a generous one. A second new feature is that, unlike WIN, these monies can be spent on education and classroom training, not just job search, job training and placement. This is critical for the Aid to Families with Dependent Children (AFDC) population, two-thirds of whom are illiterate. Third, the JOBS program requires participation for mothers of children 3 years old, and at state option, mothers of children over 1 year of age. Fourth, the targeting of 50% of the funds on those most at risk of becoming long-term recipients helps to prevent some of the "creaming" which has characterized most employment and training programs to date.

Baum identified three features of the bill which could potentially affect young unwed fathers: 1. The requirement of states to collect social security numbers of both parents; 2. The requirement to raise the rates of paternity establishment; 3. The opportunity in 5 states to permit absent parents to enroll in the JOBS program. The original Senate bill had allowed any state to target any absent parents for the JOB programs but, as a result of the

conference agreement, the Act now only permits five states to apply for a waiver and special demonstration funds for this purpose.

Linda Mellgren, Office of Income Security, ASPE/HHS focused on implementation of the new Act and how it could affect the population of young unwed fathers. She pointed out that nothing in the bill specifically requires states to focus on unwed fathers, it is left largely to the states to decide how much effort and resources to devote to targeting this population. She identified ten features of the new law which could affect young unwed fathers as follows:

1. The requirement that states set mandatory guidelines for support awards provides an opportunity to allow token or in-kind support in lieu of cash awards. This has been recommended as a way of bringing the unwed father into the system even when he is not yet earning significant income.

2. The performance standards for paternity establishment is a step in the right direction but will not necessarily increase establishment for young unwed fathers because the standards do not require major increases in the rate of establishments and young unwed fathers are a low priority category in many states.

3. The provision to reimburse the state for 90 % of the cost for tests of paternity establishment will be useful and should encourage greater use of the more reliable and expensive genetic tests.

4. The requirement to develop regulations requiring states to react promptly to child support requests could be very helpful in situations of unwed fatherhood, since the father is usually living in the community around the time of the child's birth .

5. The effect of the requirement to collect social security numbers is very difficult to predict in situations of out-of-wedlock childbearing. State laws vary considerably with respect to due process provided to the unwed father. Moreover, collecting the father's social security number before paternity is legally established creates an ambiguous legal situation which is certain to be tested in the courts. (A participant later pointed out that some young people do not have social security numbers because they have never been in the work force or are illegal immigrants).

6. The AFDC-Unemployed Parent provision, which requires states to extend assistance to a family where the father is present but unemployed, could help this population because it does not make a distinction between married and unmarried parents. It will make program services, such as workfare and community service, available to the father as well as the mother. By extending services to two-parent families, it is hoped that the provision will encourage young men to live with their families.

7. While the bill only encourages states to establish civil procedures for paternity to make the process less intimidating and simpler, the Department might be able to use this provision to strengthen its regulatory requirements.

8. States will be required to collect additional child support data. Previously no information on the number of AFDC children who need child support, or the number of cases requesting support was collected. With additional data it will be easier to determine the need for support and how well states are responding to this need.

9 &10. In addition to the absent parent demonstration in JOBS, the bill allows for 2 types of demonstration programs that may eliminate some barriers to an unwed father's

participation. The first would allow for AFDC/UP to be offered without the requirement that the father has been employed for 3 months out of the last 6 months, thus eliminating a barrier to young fathers who have not been in the work force. The second type of program allows states to apply to use funds for a job training and placement programs that could target young unwed fathers with incomes below poverty.

Margaret Boeckmann, Director of the Office of Employment Policy, Maryland Department of Human Resources, described their office's experience in conducting a pilot absent parents employment program using state funds.

The program was originally conceived in 1986 by a Harford county judge and given financial backing after the Governor's Task Force on Teen Pregnancy recommended that teen fathers be targeted for training. Ruth Massinga, Secretary of the Department of Human Resources and Chair of the Task Force, has given priority in her department to the unwed population. The demonstration project presently operates in Harford County and Prince George's County. The local Private Industry Council is under contract to provide program services and the Office of Child Support Enforcement coordinates referrals and client follow-up.

This demonstration program aims to increase the earning capacity of unemployed or underemployed absent parents so that they can meet their court-ordered child support payments and hopes to help reduce state and federal welfare expenditures by increasing the economic self-sufficiency of AFDC mothers through additional child support collection. The program originally hoped to target men under 25. However, it has been attracting older men whose average age is 27.

Part of the success of the Harford program is due to the seriousness of the Harford judge who tells non-paying fathers, "either get a job or sign up for a job training program and if you fail to do this you will go to jail." In Harford county, the fathers are signed up for employment training services by a counselor in paternity court right away. For a variety of reasons, the newer Prince George's county program has not yet seen the kind of success that Harford county has seen.

A problem that both programs face is getting young fathers involved. Both young and old fathers will often take temporary, unstable work just to avoid participation. There appears to be two different groups of absent fathers in the program and they need different types of services. The older men need training and jobs and the "stick" approach seems more effective. Younger unwed fathers often lack more than just a job. They may have educational deficiencies, fail to understand their responsibilities, and have drug and alcohol problems.

Evaluation of the program has been limited so far due to lack of follow-up information. In the future the program would like to be able to document what type of work the trainees get after they leave, what their wages are and how long they stay at their jobs.

The staff hopes to begin a third program in either Frederick County or Baltimore County by applying for federal demonstration money provided by the welfare reform act. However, different communities need different approaches. In Baltimore city, with a very high rate of out-of-wedlock parenting, the program would use "a carrot approach" rather than "a stick approach." Courts have to be able to back up a threat of throwing non-paying fathers in jail but Baltimore jails are too overcrowded to back up that threat. The approach in Baltimore would be to offer incentives to the unwed mothers *and* fathers to get the fathers involved in the program.

Points made in the discussion

- We need to focus on the psychological and economic benefits to the child of establishing paternity and encouraging paternal responsibility, not just the economic benefits to the state. Health care professionals who work with young mothers during their pregnancy may be a key group to educate about these benefits.

- Was one of the goals of the Act to encourage marriage? Yes, Baum said that was definitely part of the argument made in favor of requiring all states to offer AFDC/UP. In addition, scholars have suggested that helping unwed fathers obtain employment might increase marriage rates.

- Not all unwed fathers are young, nor do they remain unwed. Some marry and have other children to support.

- How would this new law deal with a "de facto" father who is living with the child's mother and wishes to take on responsibility for the child but is not the biological father? Would he be eligible for the JOBS program in the five demonstration states? It was pointed out that AFDC-UP is available irrespective of marital status.

- How does this bill prevent the "take the best, forget the rest" approach to welfare employment programs? Baum noted that the bill's effort to target funds to long-term welfare recipients is designed to avoid such creaming.

- It is important to remember that the circumstances and needs of young unwed fathers are often different from those of the older, once-married absent father. The punitive approach may work and be appropriate for the latter group but incentives and different kinds of assistance are needed for the former.

- There are limits to the ability of government policy to legislate charity and responsibility and "touch the heart" of the unwed father.

- Our goal should be to achieve two stable incomes, one from the mother and one from the father, so that a child may have a decent standard of living.

- Does the new Act recognize that some AFDC women and/or their children are in danger of physical violence from their child's father? Yes, Baum mentioned the "good cause" exemptions from the requirement to locate the absent father in the current program. She added that research suggests that such cases represent a very small percentage.

- The key to motivating and working with the young father is to have people at the ground level who have the skills, training and ability to communicate and work with this difficult population. But how can these front line people get the training they need? Baum said that although training of program staff is not specifically mentioned in the legislation, states are free to use administrative monies for training.

Additional Reference

Capital Ideas, a newletter publication of the Center for Policy Research, National Governor's Association, August, 1987 issue has information on a few states who are conducting demonstration employment programs for young absent fathers. Available from the Office of Public Affairs, NGA 444, N. Capitol St, Suite 250, Washington, D.C. 20001. Cost $3.00.

YOUNG UNWED FATHERS AND WELFARE REFORM

Background Briefing Report

FACTS

Facts about out-of-wedlock childbearing provide the essential background to an understanding of the policy issues related to unwed fatherhood and welfare reform. There is a wealth of data available on childbearing trends and characteristics of young unwed mothers, and it has been compiled in several useful publications. Much less is known about young unwed fathers.

Adolescent Out-of-Wedlock Childbearing

(The secondary sources we primarily draw upon here, listed in the references, are: Hayes, ed. 1987; Pittman and Adams, Jan/Feb. 1988; Smollar and Ooms, 1988)

- In 1985, 22% of all registered live births were to unmarried women. Of these about one third were to teenagers.
- Forty five percent of births to white teenagers (including Hispanics) and 90% of births to black teens were out-of-wedlock.
- By the time they are eighteen, 21% of white and 41% of black young women have become pregnant (at least once). And 7% of white, 26% of black and 14% of Hispanic 18-year-olds have given birth.
- Black 15-19 year olds are over four times as likely to give birth while unmarried as whites, and Hispanic teenagers are twice as likely as whites to give birth while unmarried. Income is a more significant factor in explaining differential rates of unwed teen births than race. (Besharov et al. , 1987).
- The higher rates of black out-of-wedlock childbearing largely reflect the fact that black adolescent women are much less likely to marry either before or after a pregnancy. (This is not the case for Hispanic teenage women who are more likely to be married than whites.)
- High rates of out-of-wedlock childbearing are strongly associated with poverty, school dropout and welfare. Black teen mothers, however, are more likely to have completed high school than whites. Hispanic teen mothers have the highest school drop-out rates.

Welfare Dependency of Unwed Mothers

(Sources used: Ellwood, 1988; Pittman and Adams, 1988; Senate Finance Committee, 1988.)

- Nearly half of all teen mothers and nearly three-quarters of unmarried teen mothers, will receive welfare assistance within four years of giving birth.
- Mothers receiving AFDC who gave birth out of wedlock as teens were the group at highest risk of becoming long term welfare recipients. Forty percent of young never-married mothers who entered the welfare program when their child was less than 3 years old spent 10 years on AFDC.
- Children born out of wedlock comprise the largest sub-group of the welfare population. In 1986, 48.9% of AFDC children were born to unmarried parents as compared to 36% whose parents were divorced or separated.

Profile of Young Unwed Fathers.

The information presently available about young unwed fathers comes from several small, unrepresentative studies of young fathers and one national study, the National Longitudinal Survey of Labor Force Behavior of Youth (NLS). In general, responses to survey questions related to marital history and fertility are much less reliable from male respondents than females. (*Secondary sources primarily used here: Bureau of the Census, 1987; Lerman, 1987; Lerman and Ooms, 1988; O.E.R.I., 1988; Adams and Pittman 1988; Smollar and Ooms, 1988.)*

Paternity. Two-thirds of the unmarried teenage women who gave birth provided no information about the baby's father on the birth certificate. However, in 1984 nearly one-half of all 19 - 20 year olds who reported in a nationally representative survey that they were fathers, were not married to their child's mother.

Unwed Fathers' Age. It is estimated that about 70% of the fathers of children born to teen mothers are 20 years or older. On the average, male sexual partners of teenage women are at least two years older than their partners, and many are in their mid to late twenties.

Marriage. Recent decades have seen delays in marriage for all age groups. Many young unwed parents eventually marry, though not always to the parent of the first -born child. Unwed fatherhood is largely a transition stage for young white and Hispanic men who are eventually likely to marry the mother of at least one of their children. However, unwed fatherhood more often ends up being a permanent status for black men.

Living arrangements. In 1984, approximately 80% of never-married young fathers (19-26 years old) were not living with their children. Five percent of black unwed fathers, as compared with 1% of whites, do live with their child but not with a spouse.

Sixty percent of these young unwed absent fathers were living with at least one parent or other close relatives. Black and Hispanic youth of all income levels are more likely to be living with their parents or relatives than whites.

Employment and Income. Earnings of young adult males have fallen steadily since 1970 ,both because young adult males are less likely to have jobs and because wages have fallen in real terms. Unemployment rates of young men, aged 18-25, have risen considerably over the last three decades and remain very high, especially for black youth. In 1986, the overall unemployment rates for 20-24 year old white men was 9.2% and for black men, 23.5%. Unemployment for white teenagers 16-19 years-old was 16.3% and for black teens, 39.3%. There seemed to be little difference, however, between the employment status of unwed fathers and those who were not unwed fathers. (Lerman, 1986)

Patterns of youth employment are somewhat erratic as they enter and exit from the labor force, and many work part time. Many do not report their income, especially when gained illegally. However, substantial proportions of black high school drop outs do not work at all.

The median income of full time, year-round, young adult male workers aged 20-24 declined from $18,800 in 1970 to $14,150 in 1986 (in constant 1986 dollars). The median income of young unwed fathers is much lower. However, the large majority of unwed fathers live in their parental home and pool their income and expenses. Family incomes of fathers living at home averaged about $23,000 to 25,000. Family incomes of young unwed mothers averaged about half of this amount. (Lerman and Ooms, 1988)

Child Support. According to census data only 18% of unwed mothers aged 18 and older have court-ordered child support awards as compared with 82% of divorced and 43% of separated mothers. About 14% of unwed mothers reported in a government survey that they actually received

any support. However, several studies suggest that unwed fathers provide, informally, more cash and in-kind support than these official statistics represent. For example, in a national survey conducted in 1984-85, 41% of absent unwed fathers reported making some child support payments (Lerman, 1988). The mean total reported payment for the year was $2,280, with white fathers paying over three times as much cash support as blacks and Hispanics. (The National Urban League has found a father's willingness to pay child support to be a matter of income, not race. Black fathers pay support as well or better than whites of the same income level.) Of fathers who regularly visit their child, 50% reported making child support payments.

Involvement and Visitation. Small scale in-depth studies suggest that there is a substantial group of young unwed fathers who defy the stereotype of the uncaring, "hit and run," unwed father. They visit their child regularly, bring in-kind gifts and supplies and may even provide child care (sometimes assisted by their parents). Some were strongly committed to their child. Information from a national survey (NLS) provides a sense of the proportion of unwed fathers who are somewhat involved with their child. Over one half of the absent unwed fathers live within 10 miles of their child and visit them at least once a week. White unwed fathers were more likely than blacks and Hispanics to live far away from their child (Lerman, 1988).

POLICY DEVELOPMENTS

Until a few years ago there was an almost total absence of any focus on the needs, rights and obligations of young unwed fathers in national discussions about federal and state policy concerned with teen pregnancy, out-of-wedlock childbearing, youth employment and welfare reform. However, at the level of service delivery a few health and social service programs were making efforts to reach out to adolescent and young fathers.

Our major sources for the discussion of the salient policy issues are the summary reports and background papers for two national conferences: the first, in October 1986, was conducted by the Family Impact Seminar and funded and sponsored by the federal government (HHS & DOL) and the other, in September 1987, was conducted by the Center for Support on Children and funded by the Ford Foundation. (See Smollar and Ooms, 1988; and Kastner, McKillop et al., 1988.)

In addition there are a number of new books and articles reporting on a small but growing body of research and program experience with young fathers (See especially Elster and Lamb, eds., 1986 and Robinson, 1988)

These publications reflect a growing consensus on the *goals* of public policy, prevention and direct service programs directed towards young unwed fathers. There remains, however, considerable uncertainty and disagreement about the most appropriate and effective strategies needed to accomplish these goals. Numerous recommendations have been made for improving the process; some are mentioned below. Many states are conducting trials and demonstrations of some of these new ideas using state and/or federal dollars.

Policy Goals and Assumptions

There is general consensus on the following goals and assumptions that should undergird policy towards unwed fathers:

1. Unwed fathers need to be held responsible for their children and to fulfill the minimum obligations of fatherhood: namely, legally establishing their paternity and contributing financial support.

2. Legal paternity establishment is nearly always in the best interests of children, and it is their interests that should be primary over others' interests (mother, father, the state). Young people, their families and the general public need to be educated about the benefits of establishing paternity as soon after the birth as possible.

3. The major benefits to paternity establishment are:
   -obtaining information about the father's medical history;
   -allowing the child access to certain social security, military dependent and other financial benefits that may become available through the father;
   -improving the child's economic well-being if child support payments ensue.
   -permitting a personal relationship to be established between child and father.

4. Policy should recognize that the circumstances and needs of absent young unwed fathers differ from those of absent divorced or separated fathers. Program approaches that enable and empower unwed fathers to meet their responsibilities are likely to be more effective and appropriate than punitive approaches.

5. These goals cannot be achieved through any single, narrow categorical program but require coordinated action between several public programs at federal and state levels, including the child support enforcement system, the AFDC program, Labor Department job programs and adolescent pregnancy and parenthood programs. In addition, information and training about these issues needs to be provided to a range of human service professionals working in public and private health and social service sectors. (See Smollar Ooms, 1988).

6. Traditionally, marriage was usually considered to be the preferred and responsible solution to an out-of-wedlock pregnancy. Nowadays those who work with teen parents are doubtful whether increasing "shotgun" marriages should be, or can be, a direct policy goal. However, some believe that improving the employment rates of young men would have an additional indirect benefit of encouraging marriages and marital stability among young people, especially blacks.

Unwed Fathers' Legal Rights and Obligations

Paternity establishment and unwed fathers' child support and visitation raise complex legal and ethical issues about the competing rights and interests of the biological father, custodial mother, their child, and of any adoptive parents, step-parents and grandparents. These issues and dilemmas are being wrestled with openly in the courts with regard to situations of divorce, but are only beginning to surface with regard to unwed parenthood.

In recent decades out-of-wedlock children have gained legal rights denied them for centuries (e.g. with respect to inheritance, etc). However, the legal status of their biological fathers remains ambiguous and in transition.

Unwed fathers' obligation to provide economic support derives solely from their biological parenthood and is firmly established in federal child support law. But biological fathers have been accorded few rights with respect to issues of adoption, custody, visitation and pregnancy decision-making. These are generally a matter of state law or state courts and hence vary considerably between states.

In the past decade, Supreme Court decisions have clarified that unwed fathers can have rights in adoption but only when they have demonstrated parental interest; biology itself is not sufficient. Two cases pending before the Court in the 1988/89 session may expand the custodial and visitation rights of biological fathers who have shown interest in their child.

Unwed fathers' rights to due process in paternity proceedings also vary considerably and may be especially inadequate in the case of minors.

Current Policy Strategies: Paternity Establishment

Paternity establishment is the critical first step in enforcing and encouraging paternal financial responsibility, but its achievement requires the active cooperation of *both* of the unwed young parents (and often of their families).

The federal/state Child Support Enforcement Program (Title IVD of the Social Security Act) requires the states to establish paternity as the necessary prerequisite to the collection of child support for the largest component of the welfare population. When a needy unwed mother applies for welfare assistance she must agree to cooperate with the state in determining paternity and establishing child support. She must name the father and help locate him unless she has good cause to be exempted from the requirement (e.g. incest, rape, or danger of harm to her or her child).

The paternity establishment and parent locator services of the child support system are available, however, to any custodial parent upon request, sometimes for a small fee. A small, but increasing proportion of the IVD paternity cases are brought by non-AFDC clients. In the great majority of cases (85%), paternity is voluntarily acknowledged. Contested suits may require a blood test (or, increasingly, genetic testing).

Although a few local jurisdictions have made intensive and successful efforts, the states' performance overall in establishing paternity has been sadly lacking. In spite of federal encouragement to the state offices of child support, in 1987, the average paternity establishment rates (as a proportion of all out-of-wedlock births) was only 31%. (The rates varied from a high of 87% to a low of 1.4%). And 30 states failed a federal audit of their efforts on paternity.

The primary barriers to paternity establishment are:

- State offices assign these cases low priority in their case loads since they are viewed as having low immediate payoff (the young unwed fathers are not usually able to pay much support). States consider federal incentives inadequate to offset these costs of pursuing paternity and support.

- Social workers and health care professionals, reflecting community views, are ignorant about the benefits of paternity and child support and perceive the system as pointlessly punitive. Young fathers and mothers also experience the process as intimidating, complex and punitive.

- Young unwed mothers and their parents, often do not want the father legally identified or wish to receive child support from him. This attitude may reflect their desire to protect themselves from having to deal with the child's father, or from a desire to protect him from bureaucratic harassment.

- While the law permits some exceptions to the requirement to identify the father and his location (e.g. in cases of rape or incest), the numbers of cases meeting these criteria are very small. Most often the mothers act on their reluctance by claiming they do not know who the father is (or where he lives) although studies suggest most of the fathers are known and do have contact with their partner and child.

- Other mothers may fail to cooperate due to worry that the informal assistance presently provided by the father will dry up if he disappears to avoid being involved with the formal child support system.

- There is no system in place that reaches the majority of young unwed mothers *during their pregnancy* with information and counselling about the importance and value of paternity establishment and child support. Information for the birth certificate is collected from the mothers and filed routinely by a hospital ward clerk who clearly has no responsibility to provide information and counseling.

Suggested recommendations to increase the effectiveness of the paternity establishment process include:

-increase federal incentives to the states;
-simplify the process: e.g. institute one-stop paternity establishment
-establish paternity as separate from the child support process;

-involve community and neighborhood organizations in carrying out culturally sensitive efforts to educate youth, their parents and the general public about the importance of paternity establishment (and child support);
-require that all unwed pregnant young women-- and if they are minors, their parents -- be given information and counseling about the benefits of establishing paternity.

Current Policy Strategies: Child Support

Once the father is identified, the case is then brought before the appropriate local jurisdiction where a child support order is made through a judicial process which may require a court hearing. State guidelines are increasingly used to establish appropriate cash support awards, and they must include provisions for medical support. If the custodial parent receives AFDC, rights to support must be signed over to the state. Fifty dollars of this support is passed on each month to the parent and does not reduce the amount of the welfare benefit.

The rates of child support awards and collection for unmarried mothers are lower than the rates of paternity establishment. In 1983 only 17.7% of never-married women were awarded child support by the court as compared with about 75% of divorced women. Of those who had awards, 76% actually received some support as did 76% of the divorced; however, the dollar amount received by unmarried mothers was about half that received by the divorced.

Barriers to collection of child support:

- Some judges hold off on issuing a support award when the unwed father is unemployed or in school, believing that his lack of income or low income would make a support order unrealistic. Moreover, state support guidelines do not make provisions for making a support award when there is no income.

- Young unwed fathers are often given low priority by the busy hard-pressed child support officers. Since most of these fathers' income is low or non existent, the effort required to bring them into the system would seem not to be cost effective in the short run. In the long run, of course, once the young father gets steady employment, the rewards of prompt paternity establishment and support orders will accrue. A few jurisdictions are experimenting with token awards.

Suggested recommendations to increase support awards and collections include:

-never establish paternity without at least a token award;
-periodic reviews of the award amounts should be required;
-guidelines and awards should be flexible to accommodate payment in kind or in services - - such as providing child care;
-refer/require those young fathers who are unable to pay, or who default on payment, to attend an employment and training program;
-community/public education about the child support system;
-community "hot-lines" should be established and listed in telephone directories to provide readily accessible information to the public about each jurisdiction's paternity and child support services.

Current Policy Strategies: Employment and Training

In order to fulfill their financial responsibilities to their children, unwed fathers need to earn income. Many young fathers who are unemployed or employed only part-time need assistance with finding and keeping a job; and/or they may need further education and training to improve their employability.

Of the various federal/state employment and training programs -- WIN, CETA, JTPA -- none has made a special effort to target young unwed fathers or has modified its programs to meet their special needs. A few have targeted young unwed mothers. However, there are some state demonstration efforts--most notably in Florida (Project Independence), and Maryland (Absent

Parents Employment Program), that offer unwed fathers the opportunity to participate in employment and training programs designed for the absent parent..

Oklahoma enacted legislation in 1987 (not yet implemented) that requires unemployed or underemployed absent parents in default of child support to participate in job-finding, job-training and placement programs.

Recommendations were made at the October 1986 conference that welfare reform programs should allow and even encourage the unemployed absent parent, as well as the custodial parent, to enroll in training and job programs; also, that Labor Department sponsored job programs should target young absent fathers for services and provide them with stipends on condition of payment of child support.

THE FAMILY SUPPORT ACT 1988 (P.L. 100-485).

This is a long complex Act with seven titles. It substantially amends Title IV of the Social Security Act which includes AFDC, work training, and child support. A number of organizations have prepared comprehensive highlights or section by section summaries of the Act. (See References and Resources.)

Signed into law on October 13, 1988, the Family Support Act has been hailed as a dramatic restructuring of the nation's welfare system. The AFDC program was originally designed in 1935 to serve as pension for indigent widows to enable them to remain at home to care for their children. The new Act's principal author, Senator Patrick Moynihan, as he introduced the bill, S. 1511, in the Senate in July 1987, described its central features as "stressing family responsibility and community obligation in the context of the vastly changed family arrangements of the last 50 years." (He was referring to the rise in divorce, unwed parenthood and the increase in maternal labor force participation).

Moynihan then asserted that the Act sends two basic moral signals, namely: first ,that no one escapes (economic) responsibility for parenthood: and second, that welfare mothers are entitled to education, job training and job search to help free them of the stigma of dependency on the state and bring them back into the mainstream.

As finally enacted, the bill did not raise welfare benefit levels whose real value have greatly eroded in the past decade. However, it did mandate that the program be made available to eligible two-parent as well as one-parent families. (AFDC-UP is presently available only in 27 states).

Although the Act does not specifically distinguish young unwed fathers for special mention, several of its provisions will substantially affect this group.

Summary of Major Provisions of the Family Support Act

- Requires state to use, as a rebuttable presumption, state developed, uniform guidelines for setting child support awards.

- Requires immediate automatic withholding of child support payments from the absent parent's paycheck regardless of whether there has been any default of payment.

- Establishes a new employment, education and training program for AFDC recipients, named the Jobs Opportunities and Basic Skills Training program (JOBS), as a replacement for the largely ineffective and under funded WIN program. Depending on the availability of state funds, participation in this program is mandatory for all AFDC recipients with children over age 3. States at their discretion may require mothers with children between 1-3 years old to enroll. This program is a capped entitlement program (i..e. not subject to appropriations); the current law WIN program is subject to annual appropriations.

- At least 50% of the JOBS funds must be spent on four target groups comprising those most likely to be long term welfare recipients, such as those under age 24 who have not completed high school.

- Child care and other support services must be guaranteed to those required to enroll in the JOBS program or had work experience in the previous year. Child care services and Medicaid must be available for up to one year after a recipient becomes employed and leaves the program.

- Mandates AFDC-UP (Unemployed Parent) benefits for at least 6 months to two-parent families in which the principal wage earner is unemployed. Requires that the wage earner works 16 hours per week in a training program or mandated work program.

- Requires ten different studies and seven types of demonstration programs designed to assess the effectiveness of many of the new features in the Act. These will require federal appropriated funds.

- Allows states to require the use of contract agreements and case managers to facilitate client participation in the JOBS program.

- Includes many additional administrative and financial provisions designed to increase efficiency, ease implementation, build in some flexibility, strengthen child support enforcement further and improve reporting.

Funding: The Family Support Act creates a capped federal entitlement (not subject to annual appropriations) that will match, under various formulas, state expenditures. The Congressional Budget Office estimates the Act will cost $3.3 billion over the next five years, with one-third of that amount representing the increased costs of the AFDC-UP expansion, one-third the JOBS program and one-third the cost of the transitional child care and Medicaid benefits. (The Administration's current estimates are nearly the same, $3.6 billion.)

The Act is designed to be deficit-neutral as the outlays will be balanced by various funding provisions included in the bill, such as limiting the child care tax credit. In addition, several provisions of the bill will result in cost savings, such as the use of standardized child support guidelines.

The Act will be phased in gradually to allow for the regulations and necessary state law accommodation, but most provisions must be put into effect within two years.

Family Support Act Provisions Specifically Affecting Young Unwed Fathers

- Requires states to meet new, tougher standards for improving paternity determination, according to a somewhat complicated formula. These standards aim to overcome the states' reluctance to pursue paternity.

- Provides for federal matching of 90% of the cost of blood and other tests to establish paternity.

- Encourages states to institute simpler, civil procedures for establishing paternity and settling paternity disputes.

- Requires states to collect Social Security numbers from both parents at the time of the child's birth . These numbers will *not* be recorded on the birth certificate.

- The original Senate provision that permitted states to allow or require absent parents to meet their support obligations by enrolling in the JOBS program was dropped at House insistence.

But the Act retained the idea through permitting the Secretary of HHS to grant waivers to 5 states that wish to do this through demonstration programs.

FAMILY IMPACT QUESTIONS FOR DISCUSSION

There are a wide range of questions to be asked about how this new program will be implemented, and how fair and effective it will be. We suggest below some of the questions specifically arising from a family perspective:

1. How adequately does the Family Support Act help unwed fathers' meet their obligations towards their children?

2. How does the Act deal with the competing rights and interests of the various parties involved when they come into conflict--for example, with respect to paternity establishment and child support and visitation?

3. To what extent does the new Act take into account, if at all, the minor parent's transitional status to independent adulthood, and the fact that the majority of young adult unwed mothers and fathers live in their parental households, for example, in setting child support guidelines?

4. To what extent does the new JOBS program take into account the diversity of families' circumstances and children's needs and understand single parents' realistic difficulties in balancing both job and family responsibilities?

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ORGANIZATIONAL RESOURCES

The following organizations provide publications, other materials (such as posters), and, in some cases, technical assistance with regard to paternity, child support, welfare reform, and other issues concerning unwed fathers.

American Public Welfare Association, 810 First Street N.E., Suite 500, Washington, D.C. 20002, (202) 682-0100. Contact: Bard Shollenberger, Senior Policy Associate.

Center for Law and Social Policy, 1616 P Street N.W., Suite 350, Washington, D.C. 20036 (202) 328-5140. Contact: Paula Roberts, Senior Attorney.

Center for Support of Children, 2815 Rittenhouse Street N.W., Washington D.C. 20015, (202) 244-5134. Contact: Laurene McKillop, Executive Director.

Children's Defense Fund, 122 C Street N.W., Washington, D.C. 20001, (202) 628-8787. Contact: Nancy Ebb, Senior Staff Attorney.

The National Center for Youth Law, Adolescent Health Care Project, 1663 Mission Street, 5th Floor, San Francisco, CA 94103, (415) 543-3307. Contact: Lillian Tereszkiewicz, Project Coordinator.

National Conference on State Legislatures, Human Services Dept., 1050 17th Street, Suite 2100, Denver, Colorado 80265, (303) 623-7800. Contact: Laura Loyacono. In D.C. (202) 624-5400. Contact: Sheri Steisel.

National Governors Association, Human Resources Committee, 444 N. Capitol Street, Suite 250, Washington, D.C. 20001. (202) 624-5340. Contact: Elisha Smith, Director.

National Legal Resource Center for Child Advocacy and Protection, American Bar Association, 1800 M Street N.W., Suite 200, Washington, D.C. 20036, (202) 331-2250. Contact: Meg Haynes, Director, Child Support Project.

National Reference Center, Office of Child Support Enforcement, 370, L'Enfant Promenade S.W., Fifth Floor, Washington, D.C. 20447, (202) 252-5431. Contact: Nancyjoy Weissman.

The National Urban League, The Male Responsibility Project, 500 East 62nd Street, New York, NY 10021, (202) 310-9000. Contact: Kevin Gibb, National Project Coordinator or tcontact he local Urban League affiliate in D.C. (202) 265-8200.

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